

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES, ex rel.)	
GEORGE ALBERT LIPCHEY,)	
Petitioner)	
)	
v.)	Civil Action No. 06-989
)	
THOMAS W. CORBETT, JR.,)	Judge Terrence F. McVerry/
Attorney General of the Commonwealth of)	Magistrate Judge Amy Reynolds Hay
Pennsylvania; and PAUL STOWITZKY,)	
Superintendent, Regional State Correction)	
Facility at Mercer, Pennsylvania,)	
Respondents)	

ORDER

AND NOW, this 22nd day of August, 2007, after the Petitioner, George Alberty Lipchey, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and objections having been filed by Petitioner which are without merit, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the habeas petition filed pursuant to 28 U.S.C. Section 2254 is denied;

IT IS FURTHER ORDERED that a certificate of appealability is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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